REMARKS

It is believed that this Amendment, in conjunction with the following remarks, places the application in immediate condition for allowance. Accordingly, entry of this Amendment and favorable consideration of the application are respectfully requested in view of the foregoing amendments and the following remarks. Claims 1-16 are pending in the application.

As previously noted in Applicant's prior response, the Sekiguchi et al. patent discloses it is possible to detect start codes for respective layers of a bit stream of a layered structure. However, what the Examiner identifies as the first header information in Sekiguchi et al. belongs to a different layer from that of the second header information. Accordingly, Sekiguchi et al. does not disclose decoding of the first and second header information including different start codes for the same layer. Accordingly, claim 16 has been amended to further distinguish over the applied references.

For at least the foregoing reasons and the reasons set forth in Applicant's response of December 10, 2002, it is respectfully submitted that claims 1, 6, 8-11 and 16 are distinguishable over the applied art. The remaining dependent claims are allowable at least by virtue of their dependency on the above-identified independent claims. See MPEP § 2143.01. Moreover, these claims recite additional subject matter, which is not suggested by the documents taken either alone or in combination.
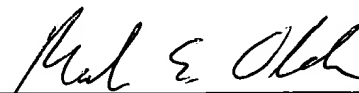
CONCLUSION

All objections and rejections raised in the previous Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance and such allowance is respectfully solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Attached hereto is a marked-up version of the changes made to the application by this Response.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1. 17; particularly, extension of time fees.

Respectfully submitted,

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By: _____
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Attachment: Version with Markings to Show Changes Made

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

The claims have been amended as follows:

--16. (Amended) An image decoding apparatus for decoding a first coded bit stream into which first header information <u>including a start code of a first kind</u> and image coded data encoded in a first coding scheme are multiplexed, or for decoding a second coded bit stream into which second header information <u>including, in the same layer as the start code of the first kind, a start code of a second kind different from the first kind</u> and image coded data encoded in a second coding scheme are multiplexed, said image decoding apparatus comprising:

coding scheme decision means for making a decision as to whether a received coded bit stream is the first coded bit stream or the second coded bit stream, based on a start code included in the first header information or in the second header information;

decoding means for decoding image coding information on the second coding scheme included in the second header information by receiving the second coded bit stream; and

setting means for setting the image coding information on the second coding scheme, based on image coding information on the first coding scheme included in the first header information,

wherein said image decoding apparatus decodes the image coded data included in the first coded bit stream or in the second coded bit stream, based on the image

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coding information set by said setting means, the image coding information decoded by

said decoding means and a result of decision by said coding scheme decision means.--